

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
NEWARK DIVISION

IN RE: REQUEST FOR JUDICIAL
ASSISTANCE FROM THE COURT OF
FIRST INSTANCE IN GENEVA,
SWITZERLAND IN THE MATTER OF
CHARLOTTE BOUVIER D'YVOIRE V.
OLIVER BOUVIER D'YVOIRE

CASE NO.

DECLARATION OF SENIOR TRIAL COUNSEL KATERINA OSSENOVA

I, Katerina Ossanova, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a Senior Trial Counsel at the U.S. Department of Justice, Civil Division, Office of Foreign Litigation. I make this declaration upon information and belief based upon the attached exhibits and communications received from the Court of First Instance in Geneva, Switzerland (“Swiss Court”). I make this declaration in support of the Government’s request, pursuant to 28 U.S.C. § 1782(a), for an Order appointing me Commissioner for the purpose of obtaining bank records from (1) E*Trade and (2) UBS (“witnesses”).¹

¹ Section 1782(a) provides, in pertinent part, as follows:

The district court of the district in which a person resides or is found may order him to give his testimony or statement or to produce a document or other thing for use in a proceeding in a foreign or international tribunal, including criminal investigations conducted before formal accusation. The order may be made pursuant to a letter rogatory issued, or request made, by a foreign or international tribunal or upon the application of any interested person and my direct that the testimony or statement be given, or the document or other thing be produced, before a person appointed by the court. By virtue of his appointment, the person appointed has power to administer any necessary oath and take the testimony or statement. The order may prescribe the practice and procedure, which may be in whole or part the practice and procedure of the foreign country or the international tribunal, for taking the testimony or statement or producing the document or other thing. To the extent that the order does not prescribe otherwise, the testimony or statement shall be taken, and the document or other thing produced, in accordance with the Federal Rules of Civil Procedure.

2. In connection with a judicial proceeding in the Swiss Court, captioned *Charlotte Bouvier D'Yvoire v. Oliver Bouvier D'Yvoire*, Foreign Reference Number C/29866/2017, the Court issued a Letter of Request seeking information from the witnesses. A true and correct redacted copy of the Letter of Request received from the Swiss Court is attached as Exhibit A.

3. The specific information requested by the Swiss Court is reflected in subpoenas addressed to the witnesses, which the United States intends to serve (in substantially similar format) upon my appointment as Commissioner. Copies of the proposed subpoenas are attached as Exhibits B-1 and B-2.

4. In order to assist the Swiss Court in obtaining the requested information, I respectfully request that this Court enter the proposed Order attached to the Application appointing me Commissioner.

No previous application for the relief sought herein has been made.

I declare under penalty of perjury that the foregoing is true and correct.

WHEREFORE, the United States respectfully requests that this Court enter the attached Order.

Washington, D.C.
June 6, 2022

/s/ Katerina Ossenova

Katerina Ossenova
Senior Trial Counsel